

REMARKS

The Patent Office rejected claims 29-35 and 49-55. Applicant has amended both independent claims in the currently pending claims, claims 29 and 49.

Rejection Under 35 U.S.C. § 102(b) – Hollidge

The Patent Examiner rejected claims 29 and 49 as being anticipated by U.S. Patent No. 5,028,272 to Hollidge (“Hollidge”) under 35 U.S.C. § 102(b).

Applicant has amended claims 29 and 49 to overcome this rejection. Specifically, Hollidge does not disclose a web browser or the web as providing multi-media content to be displayed on the fuel dispenser. There is no indication in either Hollidge that Internet-based services should be provided at individual fueling stations. There is also no indication that each of the fuel dispensers should be configured to run a web browser capable of accessing data content in a markup language form. Further, the control system in Hollidge that controls communication to the display, is not a “thin client” like that of the present invention. As stated in present application, at page 6, lines 16-29:

each fueling position 14 acts as a thin client capable of interacting with a network of servers. The controller 32 and associated user interfaces are preferably designed to minimize the hardware commitment necessary at each dispenser, while having sufficient capability to establish interactivity with the user and provide fuel dispenser control. Most computer intensive functions are provided as services from the various local and remote servers 18, 26. Merchandising and business rule interpretation are handled in the systems nomenclature as services. Although certain functions and services may be run at the dispenser, most functions dealing with customer transactions, information dissemination and advertising or merchandising are preferably performed as services performed remotely and accessed by a client (fueling position). The browser software for each client has the ability to request services either locally or remotely, via the Internet or similar network. Certain services may be automatically requested by the browser at each client, while others await responses by a customer.

Rejection Under 35 U.S.C. § 103(a) – Hollidge

The Patent Examiner rejected claims 30, 34, 35, 50, 54, and 55 under 35 U.S.C. § 103(a) as being unpatentable over Hollidge. As stated above, claims 29 and 49 have been amended to provide limitations that are not taught or suggested by Hollidge. Claims 30, 34, 35, 50, 54, and 55 include these limitations and therefore Hollidge does not teach or suggest all of the limitations in the claimed invention. MPEP § 2143.03. It is not necessary for Applicant to address the merits of the additional limitations in claims 30, 34, 35, 50, and 54 to overcome this rejection due to the amendment to claims 29 and 49, but Applicant reserves the right to do so in the future if needed.


Rejection Under 35 U.S.C. § 103(a) – Hollidge & Craig

The Patent Examiner rejected claims 31-33 and 51-53 under 35 U.S.C. § 103(a) as being unpatentable over Hollidge in view of U.S. Patent No. 5,134,716 to Craig ("Craig"). As stated above, claims 29 and 49 have been amended to provide limitations that are not taught or suggested by Hollidge or Craig. Claims 31-33 and 51-53 include these limitations and therefore Hollidge and Craig do not teach or suggest all the limitations of the claimed invention. MPEP § 2143.03. It is not necessary for Applicant to address the merits of the additional limitations in claims 31-33 and 51-53 with respect to Hollidge or Craig to overcome this rejection due to the amendment to claims 29 and 49, but Applicant reserves the right to do so in the future if needed.

Respectfully submitted,

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